

ASSEMBLY BILL

No. 42

Introduced by Assembly Member Daucher

December 2, 2002

An act to amend Section 52124 of the Education Code, relating to public schools.

LEGISLATIVE COUNSEL'S DIGEST

AB 42, as introduced, Daucher. Class size reduction.

Existing law establishes the Class Size Reduction Program in which participating school districts are provided prescribed funding for reduction of class size to a ratio of 20 pupils to 1 teacher in kindergarten and any of grades 1 to 3, inclusive. Existing law also requires that program to be implemented in accordance with a prescribed order of priority regarding grade level.

This bill would require any school district establishing a class size reduction program to select the grade level or levels at a schoolsite to be reduced and to give priority to reducing class size in the selected grade level or levels before reducing class size in other grade levels at the schoolsite.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. It is the intent of the Legislature in enacting this
- 2 act to encourage continued participation in the Class Size
- 3 Reduction Program by providing school districts the opportunity
- 4 to make implementation decisions at the local level.

SEC. 2. Section 52124 of the Education Code is amended to read:

52124. (a) Any school district that implements a ~~Class Size Reduction Program~~ *class size reduction program* pursuant to this chapter is subject to this section.

(b) A school district may establish a program to reduce class size in kindergarten and grades 1 to 3, inclusive, ~~and that program shall be implemented at each schoolsite according to the following priorities:~~

~~(1) If only one grade level is reduced at a schoolsite, the grade level shall be grade 1.~~

~~(2) If only two grade levels are reduced at a schoolsite, the grade levels shall be grades 1 and 2.~~

~~(3) If three grade levels are reduced at a schoolsite, then those grade levels shall be kindergarten and grades 1 and 2 or grades 1 to 3, inclusive. Priority shall be given to the reduction of class sizes in grades 1 and 2 before the class sizes of kindergarten or grade 3 are reduced.~~

~~(4) If four grade levels are reduced at a schoolsite, then those grade levels shall be kindergarten and grades 1 to 3, inclusive. First priority shall be given to the reduction of class sizes in grades 1 and 2, second priority shall be given to the reduction of class size in kindergarten and grade 3. This paragraph shall be operative only in those fiscal years for which funds are appropriated expressly for the purposes of this paragraph. In order to best meet the needs of its pupils, the governing board of a school district shall do both of the following:~~

~~(1) Select the grade level or levels to be reduced at each schoolsite.~~

~~(2) Give priority to reducing class size in the selected grade level or levels at a schoolsite before reducing class size in other grade levels at that schoolsite.~~

(c) It is the intent of the Legislature to continue to permit the use of combination classes of more than one grade level to the extent that school districts are otherwise permitted to use that instructional strategy. However, any school district that uses a combination class in any class for which funding is received pursuant to this chapter may not claim funding pursuant to this chapter if the total number of pupils in the combination class,

1 regardless of grade level, exceeds 20 pupils per certificated teacher
2 assigned to provide direct instructional services.

3 (d) The governing board of a school district shall certify to the
4 Superintendent of Public Instruction that it has met the
5 requirements of this section in implementing its Class Size
6 Reduction Program. If a school district receives funding pursuant
7 to this chapter but has not implemented its Class Size Reduction
8 Program for all grades and classes for which it received funding
9 pursuant to this chapter, the Superintendent of Public Instruction
10 shall notify the Controller and the school district in writing and the
11 Controller shall deduct an amount equal to the amount received by
12 the school district under this chapter for each class that the school
13 district failed to reduce to a class size of 20 or less pupils from the
14 school district's next principal apportionment or apportionments
15 of state funds to the district, other than basic aid apportionments
16 required by Section 6 of Article IX of the California Constitution.

